

REMARKS

Claims 1-19 are pending in this application. Claims 1, 5, 8, 11, 14, 16, 18, and 19 are independent. In light of the remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-19 under 35 U.S.C. § 102(e) as being anticipated by *Chang et al.* (USP 6,134,584). Applicant respectfully traverses this rejection.

Claim Rejections

With regard to the Examiner's rejection of claim 1, the Examiner asserts that *Chang et al.* teaches all of the claim elements. Specifically, the Examiner asserts that *Chang et al.* discloses the schedule generating means, citing to col. 5, lines 59-65 and col. 6, lines 3-27. The Examiner further asserts that *Chang et al.* discloses the schedule processing means, citing to col. 5, line 65 through col. 6, line 2 and col. 6, lines 27-59. Applicant respectfully disagrees with the Examiner's characterization of this reference.

The disclosure of *Chang et al.* is directed to a method and system for accessing and retrieving information from a source maintained by a network server. The method and system allow a user to schedule data downloads, such as web pages or software, over a

network. Specifically, at col. 6, lines 2-59, *Chang et al.* discloses as follows:

The method includes the steps of (a) initiating the data download request and the user input interfaces; saving the requesting computer system's network address, the requesting computer system being either connected to or disconnected from the network; (b) fetching from the internet (the network connected requesting computer system) or from the user's input (the network disconnected requesting computer system) and saving those web pages, databases or softwares' source entities and their corresponding network addresses ... (c) fetching and saving from the user's input on the data download schedules ... (d) setting the system timer at the wake-up time according to the data download schedules; (e) automatically turning on the requesting computer system according to the system timer if the requesting computer system is not turned on, and dialing up to connect to the network; ... (f) accessing the download data's network address and transmitting the data to the requesting computer system; ... (g) receiving and storing the requested web pages, databases or softwares in the requesting computer system for subsequent use by the user; ... (j) automatically rescheduling the data download in some other time, ... (k) automatically turning off the requesting computer system.

In contrast, the present invention as set forth in claim 1 recites a data communication apparatus, which utilizes hypertext data stored in a server apparatus via a network, the data communication apparatus including a schedule generating means for generating and storing schedule data based on a request for obtaining the hypertext data which occurs in off-line operation in which the data communication apparatus is not connected to the network nor to an intermediary device; and a schedule processing means for processing during on-line operation the request for

obtaining the hypertext data based on the stored off-line schedule data when the data communication apparatus is connected to the network.

Based upon the teachings noted above, the cited reference fails to anticipate the present invention by failing to teach a schedule generating means for generating and storing schedule data based on a request for obtaining the hypertext data which occurs in off-line operation. *Chang et al.* merely recites "initiating the data download request and the user input interfaces; saving the requesting computer system's network address, the requesting computer system being either connected to or disconnected from the network." Applicant respectfully submits that these teachings are insufficient to anticipate the claimed invention. As such, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-4 are allowable for the reasons set forth above with regard to claim 1 at least based upon their dependency on claim 1. It is further respectfully submitted that claims 5, 8, 11, 14, 16, and 18-19 include elements similar to those discussed above with regard to claim 1, and thus these claims, together with claims dependent thereon, are not anticipated by *Chang et al.*.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully

requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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